

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	1:10CR368-1
	:	
v.	:	
	:	
STEPHEN FRANCIS DATTALO	:	FACTUAL BASIS

NOW COMES the United States of America, by and through John W. Stone, Jr., Acting United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11, Fed. R. Crim. P., states the following:

On July 6, 2009, Detective C.T. Sluder of the Guilford County Sheriff's Department used a Gnuwatch, an application which searches files shared in peer-to-peer (P2P) file-sharing networks, to identify an internet protocol (IP) address which appeared to correspond to a computer containing child pornography. Detective Sluder was able to perform a download over 2,800 files directly from IP address ending in 201. Those files included depictions of child pornography as defined in Title 18, United States Code, Section 2256. Detective Sluder obtained a state court order compelling Time-Warner Cable to disclose subscriber information for the aforementioned IP address. The account was held by a 'Steve Dattalo,' at an address in Greensboro, North Carolina. Using that information, Detective Sluder then obtained a state search warrant, which was executed on July 23, 2009. No one was at the identified

residence when officers arrived, but police found a computer running the Limewire P2P program, actively downloading numerous files with sexual names. Police seized numerous computer items from the home, some of which did not contain illegal content. Analysis showed that the following seized items did contain illegal content:

1. An Intrex Proc Custom Tower Computer, containing an 80GB Western Digital hard disk drive, model WD800JD, serial number WMAJ91850860
2. An external Western Digital 250GB hard drive, model WD2500 032-001, serial number WCANKC791860
3. Thirty (30) "floppy" diskettes, comprised of:
  - a. 28 Imation 2HD 1.44MB diskettes
  - b. 2 Verbatim 2HD 1.44MB diskettes
4. Eight (8) CD-R (compact disk - recordable) media disks, comprised of:
  - a. One Sony 700MB CD-R
  - b. Two Sony CD-R 80 min. Audio
  - c. 5 Imation CD-R 80 min. 700MB
5. Fourteen (14) DVD recordable media disks, Sony brand DVD+R 120 min. 4.7GB

A forensic examination of DATTALO's computer and related equipment showed that visual depictions of child pornography as defined in Title 18, United States Code, Section 2256, were

present. The National Center for Missing and Exploited Children (NCMEC) identified 219 files containing known victims of child pornography, in 17 different known series. Some of the known images were produced outside of the United States.

This the 6th day of October, 2010.

Respectfully submitted,

JOHN W. STONE, JR.  
ACTING UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2010, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Locke Clifford

Respectfully submitted,

JOHN W. STONE, JR.  
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